

**BOARD OF SELECTMEN  
MEETING MINUTES  
10/2/12**

The Board of Selectmen met in the Joseph F. Bilotta Meeting Room, Town Hall as scheduled with David Matthews, Steven M. deBettencourt, Tom Alonzo, Carl "Ernie" Sund and Town Manager Kerry Speidel present.

Absent was Paula Bertram

**RECEIVED & FILED**

Regular Meeting opened at 7:00 PM with the Pledge of Allegiance.

**OCT 25 2012**

Mr. Matthews thanked all who came out to the Special Town Meeting last Tuesday evening.

**LUNENBURG TOWN  
CLERK OFFICE**

**7:00PM PUBLIC COMMENT**

John Baker, 53 Chase Road, spoke about the paving job which was recently done on Rt. 13. He said that a good job was done and gave "kudos" to all who were involved.

**ANNOUNCEMENTS**

**APPOINTMENTS**

**7:00 PM Chief Jim Marino, Candidate for Reserve Police Officer** – Lunenburg Police Chief Jim Marino introduced Robert Taylor and requested that he be appointed as Reserve Police Officer for the L.P.D.

Mr. Alonzo motioned to approve the Police Chief's request to have Robert V. Taylor appointed as a Reserve Officer in Lunenburg. Mr. Sund seconded. On vote, motion carried, 4 in favor, 0 opposed.

The BOS congratulated and welcomed Mr. Taylor to Lunenburg.

**7:00 PM Request for Boot Drive, LHS Field Hockey Booster Club, 10/6/12** – Kevin Berry, 614 West Street, Representative from the Lunenburg High School Field Hockey Booster Club came before the BOS to request permission to hold a Boot Drive in the center of town on 10/6/12 from 9AM – 1PM. Mr. Berry understands that the participants manning the Boot Drive must be 18 or older and stated that the parents of the players will be doing that part.

Ms. Speidel had reviewed the request with Chief Marino and he recommends that anyone who is collecting wear reflective vests and that cones are placed in the middle of the road, ahead of the intersection on all four sides to warn travelers. Ms. Speidel will contact the DPW Director about loaning cones and vests to the participants of this event.

Mr. Sund moved to approve the Boot Drive for the LHS Field Hockey Booster Club on 10/6/12. Mr. Alonzo seconded. On vote, motion carried, 4 in favor, 0 opposed.

**7:15 PM Asian Imperial, Liquor License, Change of Location** - Mr. Matthews read the Public Hearing notice into record for transfer of a Common Victualer All Alcoholic License being submitted by Asian Imperial Inc., d/b/a Asian Imperial Garden. This license is to be exercised at the premise located at 324 Electric Ave.

Kim, Manager of Asian Imperial spoke to the BOS and said that she is requesting a transfer of the liquor license from its current location of 324 Electric Ave to 5 Electric Ave. She anticipates an opening after January 1, 2013.

Ms. Speidel stated that the application states the opening as being December 1, 2012. The manager of Asian Imperial said that they wanted to push the opening back due to the Holidays. Hours of operation will also be changed to close at 10:30 PM during the week and 11:30PM during the weekends.

Mr. Matthews suggested that due to the difficulty of the entrance/exit to the parking lot alcohol consumption be monitored. Kim replied that they will be doing TIPS Training for all employees.

Mr. Alonzo moved to recommend the approval of the change of location of the liquor license of Asian Imperial d/b/a Asian Imperial Garden from 324 Electric Ave to 5 Electric Ave., effective January 1, 2013. Mr. deBettencourt seconded. On vote, motion carried, 4 in favor, 0 opposed.

Richard Martel, 9 Electric Ave voiced his concerns with Asian Imperial's construction process. He stated that they had removed a fence which divided his property from Asian Imperial's and have not replaced it. Mr. Martel claimed that he has tried to speak with Asian Imperial but they do not respond. He is also concerned that there is no control over the traffic situation at that property.

Mr. Matthews apologized for not recognizing Mr. Martel before they went for the vote. He stated that if the Order of Conditions set by the Planning Board includes a fence in the plan, then it will have to be there before the Building Inspector or Planning will sign off on anything.

Mr. deBettencourt spoke and said he was at the Planning Board meeting where this was discussed and there is a plan to replace the fence which was removed. He told Mr. Martel that all the BOS is doing right now is voting on the transfer of the liquor license.

Mr. Martel was reminded by the BOS to bring his concerns to the Planning & Building Departments.

**7:30 PM Class II, Used Car Dealer's License, Double Down, Inc. d/b/a Import Domestic Auto Sales –**

Due to CORI information not being received from the State, this Public Hearing will be continued at the 10/9/12 BOS meeting.

**7:30 PM Pedlar's License, Scott T. Lowe, d/b/a Scott's Doggs –** Mr. Lowe spoke to the BOS in saying that he needed permission from the BOS to open his mobile food wagon at the John Deere location on Leominster/Shirley Rd. before he can receive a final inspection from Nashoba Board of Health.

Mr. Alonzo moved that the Board approve the Pedlar's License for Scott Lowe d/b/a Scott's Doggs as the application provides for location and hours of operation. Mr. deBettencourt seconded. On vote, motion carried, 4 in favor, 0 opposed.

**CURRENT BUSINESS**

**1. Accept Donation of Materials –** Ms. Speidel made a request to the BOS, in accordance with M.G.L., that they accept the following gift of materials from Dave MacDonald. Used metal shelving units and related materials to be used at the Department of Public Works. The estimated value of the materials is \$3,000 - \$4,000.

The BOS thanked and commended Mr. MacDonald for his involvement and generosity with the Town.

Mr. Alonzo motioned to accept the donation as described by the Town Manager. Mr. deBettencourt seconded. On vote, motion carried, 4 in favor, 0 opposed.

**2. Review Power Purchase Agreement and PILOT Agreement for EPG Solar and/or Mass PV1 –** Carried over to 10/9/12 BOS meeting.

Ms. Speidel reported that Town Counsel along with EPG Solar and Mass PV1 are still working together on making sure everything that was voted on at Special Town Meeting with the PILOT & PPA are reflected in those documents. Documents will be available for the BOS to review before next week's meeting.

**3. Minutes/Warrants/Action File Issues**

Minutes:            9/25/12            9/18/12            9/11/12            9/4/12

Warrants:            10/2/12            W 17-13            \$440,724.19

Action File Issues: None

**4. Committee Reports –** Mr. Sund reported that the Cable Committee met last evening and that the upcoming Lunenburg High School Homecoming Parade and Football Game will be filmed then televised in coordination with FATV (Fitchburg Access Television) on October 13<sup>th</sup>. He asked if anyone who was attending the events and had pictures they would like to submit, then please do so and they will be televised as well.

Mr. Matthews reported that the School Building Committee met last week and that twelve firms gave responses for services & qualifications for owner's property manager for the potential High/Middle School project. They have narrowed the twelve down to four who will be interviewed.

**5. Department Reports – None**

**6. Town Manager Reports –** Ms. Speidel informed the BOS that she has received emails asking when Lunenburg will be connected to Verizon FiOS. Emails Ms. Speidel has received state that Lunenburg has an exclusive contract with Comcast, which is not the case. Any cable provider within a city or town needs to have a license in order to do business, an "exclusive" license is not given. It is up to Verizon, not the Town, to determine when it makes economic sense to build out the Town of Lunenburg and in this economic time it does not make sense for them to do so.

Mr. Sund added that he does have FiOS but it is only for telephone and internet, not television, which is not available in Lunenburg.

Mr. Alonzo stated that Verizon had done such a "build out" in the entire North East and when the financial collapse happened they needed to put a halt to everything. The MassBroadband Institute, which was formed two years ago, was an initiative formed by the Governor and the State to give a "fiber backbone" to all communities that were under serviced and hopefully will be completed by summer of 2013. This will be for municipal buildings and possibly extended to businesses and homes in Lunenburg.

**OLD BUSINESS - None**

**APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS**

**1. Robert V. Taylor to the position of Reserve Police Officer –** Completed under Appointments

**EXECUTIVE SESSION – None**

Mr. deBettencourt moved to adjourn the meeting. Mr. Sund seconded. The board voted unanimously to adjourn regular session at 7:43PM.

**UPCOMING MEETING SCHEDULE**

October 9, 2012

October 16, 2012

October 23, 2012

*Respectfully submitted,  
Susan Doherty, Recording Secretary  
Board of Selectmen*